

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

\* \* \*

UNITED STATES OF AMERICA,

Plaintiff,

v.

LATONIA SMITH,

Defendant.

Case No. 2:19-cr-00304-RFB-VCF

MINUTES OF THE COURT

DATED: April 28, 2021

THE HONORABLE **RICHARD F. BOULWARE, II**, UNITED STATES DISTRICT JUDGE

DEPUTY CLERK BLANCA LENZI COURT REPORTER PATTY GANCI

COUNSEL FOR GOVERNMENT STEVEN MYHRE, DANIEL CLARKSON

COUNSEL FOR DEFENDANT TELIA WILLIAMS, GWYNNE DUMBRIQUE

MINUTES OF PROCEEDINGS: **JURY TRIAL – DAY 5**

The Court convened at 9:26 AM. Defendant is present in custody with defense counsel. Government Counsel along with USPIS Special Agent Justin Steele are present at government counsel table.

*Outside the presence of the Jury:* The Court addressed the parties regarding the motions pending in this case and prior ruling. For the reasons identified on the record in this case, IT IS ORDERED that Defendant's [220] MOTION for Mistrial is Denied.

Court convened at 9:39 AM, in the presence of the jury.

**ANNECER PERUZAR**, mother of defendant, resumed testimony on cross examination by Mr. Myhre. Redirect examination by Mr. Dumbrique. Ms. Peruzar is then excused.

Court recessed at 10:57 AM. The jury is admonished and excused.

*Outside the presence of the jury:* The Court heard representation of defense regarding the afternoon testimony.

Court recessed at 11:01 AM.

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Court reconvened at 12:58 PM.

*Outside the presence of the jury:* The Court heard representations from defense counsel and defendant.

The Court canvassed the defendant as her decision after consultation with attorneys and confirmed that she will not exercise her right to testify.

The Court preliminary directs the parties to file any supplemental proposed jury instructions for the Court's consideration due by 4:00 PM this day.

Court reconvened at 1:08 PM, in the presence of the jury.

The Defense rests.

The Government rests.

The Court directs the jurors to return by 10:15 AM on Thursday, April 29, 2021.  
Court recessed at 1:11 PM. The jury is admonished and excused.

Court reconvened at 1:11 PM.

*Outside the presence of the jury:* The Court heard representations of Defense counsel as to a renewed oral motion for Rule 29, Motion for Acquittal. The Government states its objection to Defendant's oral motion. The Court ruled to deny the Defendant's oral motion for Rule 29, Motion for Acquittal for the reasons stated.

The Court heard further representations from counsel as to the proposed jury instructions.

Jury trial, day 6 is set for Thursday, April 29, 2021 at 9:00 AM. Counsel is directed to be in the courtroom by 8:30 AM.

The Court adjourned at 1:36 PM.

**DEBRA K. KEMPTI, CLERK**  
**U.S. DISTRICT COURT**

/s/  
**BY:** \_\_\_\_\_  
Blanca Lenzi, Deputy Clerk